

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

CAYUGA NATION,

Plaintiff,

v.

KATHLEEN C. HOCHUL, et al.

Defendants.

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No.: 1:23-cv-01283-LJV

**PLAINTIFF’S MOTION TO ADMIT DAVID W. DEBRUIN TO PRACTICE
PRO HAC VICE**

PLEASE TAKE NOTICE that upon the affidavit of Jacob D. Alderdice, sworn to December 11, 2023, and the petition of David W. DeBruin, dated December 11, 2023, and all the pleadings and proceedings herein, Plaintiff Cayuga Nation, through its undersigned counsel at Jenner & Block LLP, will move this Court, at a date and time to be determined by the Court, for an Order pursuant to Rule 83.1(d) of the Local Rules of Civil Procedure for the United States District Court for the Western District of New York admitting David W. DeBruin *pro hac vice* to represent Plaintiff before this Court in all proceedings in this action.

Dated: December 11, 2023

Respectfully submitted,

/s/ Jacob D. Alderdice
Jenner & Block, LLP
1155 Avenue of the Americas
New York, NY, 10036
Tel: (212) 891-1625
JAlderdice@jenner.com

**IN THE UNITED STATES DISTRICT COURT
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CAYUGA NATION,

Plaintiff,

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No.: 1:23-cv-01283-LJV

MOTION TO ADMIT COUNSEL PRO HAC VICE

Pursuant to Rule 83.1(d) of the Local Rules of the United States Court for the Western District of New York, Plaintiff Cayuga Nation hereby moves this Court for an Order admitting David W. DeBruin as counsel *pro hac vice* on its behalf in the above-captioned action.

David W. DeBruin is a member in good standing of the bar of Washington, District of Columbia and there are no pending disciplinary proceedings against him in any state or federal court. Attached as Exhibits hereto are the following:

Admission Petition Form – **Exhibit 1**

Admission Sponsor Affidavit – **Exhibit 2**

Attorney’s Oath – **Exhibit 3**

Civility Principles and Guidelines Oath – **Exhibit 4**

Attorney Database and Electronic Case Filing Registration Form – **Exhibit 5**

Dated: December 11, 2023

Respectfully submitted,

/s/ Jacob D. Alderdice
Jenner & Block, LLP
1155 Avenue of the Americas
New York, NY, 10036
Tel: (212) 891-1625
JAlderdice@jenner.com

and

David W. DeBruin (to be admitted *pro hac vice*)
Jenner & Block LLP
1099 New York Ave., N.W.
Washington, DC 20001
Tel.: (202) 639-6015
DDeBruin@jenner.com

Attorneys for Plaintiff

EXHIBIT 1

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

IN THE MATTER OF THE APPLICATION OF

David W. DeBruin

(Name)

TO BE ADMITTED TO PRACTICE AS AN ATTORNEY

TO THE HONORABLE _____,
JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK:

David W. DeBruin, petitioner herein, respectfully states:

1. That petitioner has an office for the practice of law at:

1099 New York Ave., NW #900, Washington, DC 20001
2. That petitioner attended the following educational institutions and received the following degrees:

University of Michigan Law School, JD; Indiana University, BA
3. Please complete either (a), (b), or (c):

Admission by Petition

- (a) That petitioner was admitted to practice by the Appellate Division of the Supreme Court, _____ Department of the State of New York on the _____ day of _____, _____.

Additional Requirements:

Admission Petition Form
Admission Sponsoring Affidavit
Attorney's Oath
Civility Principles Oath
Attorney Database and Electronic Case Filing Registration Form
Check or money order in the amount of the Attorney Admission fee set forth in the District Court Schedule of Fees
(due on upon admission)

Admission by Certificate of Good Standing

- (b) That petitioner was admitted to practice in the United States District Court of the _____ District of _____ on the _____ day of _____, _____, and is a member of the bar of the State in which that district court is located and in which the petitioner maintains an office for the practice of law.

Additional Requirements:

Original Certificate of Good Standing from the Clerk of Court of which he or she is a member
(dated no earlier than six months prior to submission to this Court)
Admission Petition Form (when attorney admitted to a District Court outside of New York State)
Attorney's Oath
Civility Principles Oath
Attorney Database and Electronic Case Filing Registration Form
Check or money order in the amount of the Attorney Admission fee set forth in the District Court Schedule of Fees
(due on upon admission)

Pro Hac Vice Admission

(c) That petitioner is admitted to practice in the State of District of Columbia.

Additional Requirements:

Motion to Appear Pro Hac Vice
Admission Petition Form
Admission Sponsoring Affidavit
Attorney's Oath
Civility Principles Oath
Attorney Database and Electronic Case Filing Registration Form
Check, money order, or payment of fee online in the amount of the Pro Hac Vice fee set forth in the District Court
Schedule of Fees (due upon application)
Local Counsel in accordance with Local Rule of Civil Procedure 83.2(a)(1)

4. Petitioner is admitted to the following courts:

US Supreme Ct.; US Cts. of Appeals: 2d Cir., 3d Cir., 4th Cir., 5th Cir., 6th Cir., 7th Cir., 9th Cir., 10th Cir., 11th Cir., DC Cir., Fed Cir.; US District Cts: DC, Maryland, EDMI, WDML, NDNY; D.C. Ct. of Appeal; Ct. of Int'l Trade; US Ct. of Fed Claims

5. Since such admission(s), petitioner has practiced in the following courts:

All of the courts identified above.

and has been involved in the following professional activities:

Conduct of litigation matters for a wide array of clients, including pro bono clients.

6. Please respond separately to each of the following questions:

- (a) Have you ever been held in contempt of court? ☐ Yes ☒ No
- (b) Have you ever been sanctioned by a court? ☐ Yes ☒ No
- (c) Have you ever been publicly censured, admonished, advised, or cautioned in a disciplinary proceeding? ☐ Yes ☒ No
- (d) Have you ever been suspended or disbarred by any court? ☐ Yes ☒ No
- (e) Have you ever been denied admission or readmission to the Bar of any court? ☐ Yes ☒ No
- (f) Are you now the subject of any pending disciplinary proceeding OR the subject of any pending disciplinary complaint before any court? ☐ Yes ☒ No

In the case of each affirmative answer to a question set forth above, the applicant shall file a confidential statement under seal disclosing the identity of the responsible court or disciplinary committee, as well as the date, background, outcome and any facts of a mitigating or exculpatory nature as may be pertinent. Such confidential statement, together with the petition, shall promptly be transmitted by the Clerk to the Chief Judge of the District for review, or in the case of a pro hac vice admission to the presiding judge.

7. That petitioner has read and is familiar with the provisions of Title 28 of the United States Code which pertains to jurisdiction of and venue in a United States District Court, the Federal Rules of Civil and Criminal Procedures, the Federal Rules of Evidence, the Local Rules of Practice for the United States District Court for the Western District of New York, the Code of Professional Responsibility as adopted by the Appellate Division of the State of New York and as interpreted and applied by the United States Supreme Court, the United States Court of Appeals for the Second Circuit, and this Court.

WHEREFORE, the petitioner respectfully requests to be admitted as an attorney in the United States District Court for the Western District of New York.

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: 12/11/23
(Date)


(Signature of Petitioner)

EXHIBIT 2

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

IN THE MATTER OF THE APPLICATION OF

David W. DeBruin

(Name of Petitioner)

TO BE ADMITTED TO PRACTICE AS AN ATTORNEY

SPONSORING
AFFIDAVIT

STATE OF NEW YORK)

) ss:

COUNTY OF New York)

Jacob D. Alderdice

Name of Sponsor

, being duly sworn deposes and says:

1. I reside at: New York, NY 10025

City, State

and maintain an office for the practice of law at: 1155 Avenue of the Americas,
New York, NY 10036

2. I am an attorney at law, admitted to practice in the State of New York

_____, I was admitted to practice in the United States District Court for the
Western District of New York on the 24th day of January, 2018.

3. I have known the petitioner since approximately 2015 and under the following
circumstances: as a partner at the law firm of Jenner & Block, LLP.

4. I know the following about the petitioner's moral character and fitness to be admitted to practice in this Court: _____
Petitioner has displayed honor and conscientious conduct and has also
demonstrated command of the law governing this action.

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: 12/11/23

Date

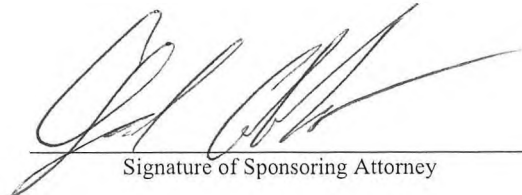

Signature of Sponsoring Attorney

EXHIBIT 3

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ATTORNEY'S OATH

STATE OF Washington, DC)
District of Columbia) SS:
 COUNTY)

I, David W. DeBruin of Washington, DC
City, State

do solemnly swear or affirm that I will demean myself, as an attorney and counselor of the United States District Court for the Western District of New York, uprightly and according to law; and I will support the Constitution of the United States. So help me God.

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: 12/11/2023
Date



Signature of Attorney

EXHIBIT 4

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

APPENDIX TO CIVILITY PRINCIPLES

OATH OF OFFICE

I do solemnly swear (or affirm):

I will support the Constitution of the United States and the Constitution of the State of New York; I will maintain the respect due to Courts of Justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust nor any defense that I do not believe to be honestly debatable under the law of the land;

In maintaining the causes confided to me, I will employ only means that are honorable, and will never seek to mislead the judge or jury by an artifice or false statement of fact or law;

I will maintain the confidences and preserve inviolate the secrets of my client, and will accept compensation solely from the client or a third-party with the knowledge and approval of the client;

I will abstain from all offensive behavior and advance no fact prejudicial to the honor and reputation of a party or witness, unless my ethical duty requires;

I will in all other respects conduct myself personally and professionally in conformity with the high standards of conduct imposed upon members of the bar who practice law in this State and before this Court.

A handwritten signature in blue ink, appearing to read "Daniel W. DeB", is written over a horizontal line.

(Signature)

EXHIBIT 5

Attorneys seeking to file documents electronically must be admitted to practice in the United States District Court for the Western District of New York.

Method of Admission: pro hac vice

(Petition, Certificate of Good Standing, *pro hac vice*)

Date admitted to practice in this Court: pending

(write "pending" if admission is pending)

If admitted pro hac vice:

Date motion for pro hac vice granted: _____ in case number: _____

Government attorneys do not need to seek admission. United States Attorneys, Assistant United States Attorneys, special attorneys appointed under 28 U.S.C. §§ 515 and 543, Federal Public Defenders, Assistant Federal Public Defenders, and any attorney employed by a federal agency, may practice before this Court on any matter within the scope of their employment by submitting to the Clerk of Court this Electronic Case Filing Registration Form and filing a notice of appearance as required by Local Rule of Civil Procedure 83.2(b).

By submitting this registration form, the undersigned agrees to abide by all Court rules, orders and policies and procedures governing the use of the electronic filing system. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) via the Court's electronic filing system. The combination of user id and password will serve as the signature of the attorney filing the documents.

Attorneys must protect the security of their passwords and immediately notify PACER and the court if they learn that their password has been compromised.



Signature of Registrant

12/11/2023

Date

Please note that this form is required to be completed by any attorneys seeking to be admitted to this District and submitted with the admission application. If you have been previously admitted to practice in this court and need to update your contact information or are a government attorney submitting this registration to request an account or, you may email the form to CMECF_Support@nywd.uscourts.gov, or mail it to the following address:

Mary C. Loewenguth
United States District Court
Attn: CM/ECF Registration
2 Niagara Square
Buffalo, New York 14202